IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 28828 of 2005(F)

PETITIONER:

P.G.VIMALA DEVI, RETIRED EXECUTIVE ENGINEER, VASUDEVAPURAM, P.H.WARD, ALAPUZHA-1.

BY ADV. SRI.V.M.KURIAN
SRI.A.V.THOMAS
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS:
----

1. STATE OF KERALA, REP. BY PRINCIPAL SECRETARY TO GOVERNMENT, WATER RESOURCES (A) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER, PROJECT II, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 28828/2005 F

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SHOW CAUSE NOTICE DATED NIL BY THE R1.

EXT.P2. COPY OF THE REPLY DT. 10/10/00 BY THE PETITIONER.

EXT.P3. COPY OF THE JUDGMENT DT. 26/02/02 IN OP NO. 18125/00.

EXT.P4. COPY OF THE ORDER DT. 29/06/02 BY THE R1.

EXT.P5. COPY OF THE REPRESENTATION DT. 3/7/05 BY THE PETITIONER TO R1.

RESPONDENT'S EXHIBITS **NIL**

True copy

tga

K. BALAKRISHNAN NAIR, J.

W.P.(C) No.28828 of 2005-F

JUDGMENT

The petitioner is aggrieved by Ext.P4 order of the Government dated 29.6.2002, fixing a liability of Rs.75,964/- against her. She submits, though her representation was considered, she was not given an opportunity of being heard before the said order was passed. Therefore, she has preferred Ext.P5 representation against the same. Thereafter, this writ petition is filed, seeking appropriate reliefs.

2. I heard the learned Government Pleader for the respondents also. The 1st respondent is directed to hear the petitioner, consider Ext.P5 and decide whether the imposition of the liability as per Ext.P4 is justified or not. This decision shall be taken within three months from the date of production of a copy of this judgment.

The Writ Petition is disposed of as above.

K. BALAKRISHNAN NAIR
JUDGE.

27th July, 2007
nm.